

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: COENRAETS=10

In re Application of: ) Confirmation No.: 7553  
Benoit COENRAETS )  
I.A. Filing Date: 04/03/2003 ) Art Unit: 3634  
371(c) Date: June 15, 2005 )  
U.S. Appln. No.: 10/510,278 ) Examiner: David M. Purol  
For: DOOR ASSEMBLY ) October 18, 2007  
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**REPLY TO ELECTION OF SPECIES REQUIREMENT**

Customer Service Window, Mail Stop Amendment  
Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

Relying to the Office Action of September 18, 2007,  
applicant hereby respectfully and provisionally elects Species  
II with traverse and without prejudice.

In addition to the independent generic claims 1, 15  
and 18 which read on the elected species II, other claims  
which read on this species are claims 2-4, 6-14, 16, 17 and  
19-23. In other words, all the claims read on the elected  
species II except for claim 5. Additionally, and for the  
record, please be advised as follows:

- The species I has all the features of claims 1,  
2, 7, 8, 9, 11, 14, 15, 16, 17, 18, 22 and 23;

- The species II has all the features of all claims except of claim 5;
- Further, the features of claims 15 and 17 are explicitly shown in figures 15 to 19 that relate to the species III. From the description of the figures 15 to 19 in paragraphs [0078] to [0082] of the published application, it is clear that the flexible door is supported against the bottom edge of the second door when such second door is in the open position and the flexible door is in its closed position. Consequently, such features are also present in species III notwithstanding this is not explicitly disclosed in the figures 15-19. Thus species III has all the features of claims 1, 7, 8, 9, 11, 12, 13, 15, 17, 18, 22 and 23.
- As to species IV, this is covered by claims 1, 2, 7, 9, 11, 15, 16, 17 and 18.

Applicant respectfully submits that the election of species requirement is unnecessary. The mutually exclusive structural characteristics identified by the examiner are not regarded at present to be essential parts of the invention as claimed in the independent claims. As such these characteristics do not appear in the dependent claims 1, 15

and 18. Further, the species I, II, III and IV all present the features of the independent claims 1, 15 and 18. Independent claim 15 additionally covers species III.

The mutually exclusive structural characteristics are details of certain embodiments of the invention. It is, for example, presently considered to be of no relevance whether the second door comprises a sectional door or a pivoting ridge door. It should be clear that the only main requirement for this second door is that it has a bottom edge and that it can be opened or closed through an upward or downward movement.

It is also presently considered to be of no relevance whether the flexible door is wound around a drum or whether some other means are provided for raising or lowering this flexible door, or whether or not the cross-section of the guideways is limited to a profiled H-shaped cross-section.

The guide surface having a form of a cylinder is an optional feature of specific embodiments of the invention, as well as are the presence of a mounting strip, a compressible flap, a bead, a rack wheel co-operating with a rack, a cutout of the top section or wall.

Applicant also submits that the separate species do no constitute separate inventions as defined in PCT Rules 13.1

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Amd. dated October 18, 2007  
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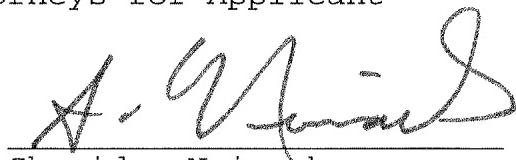
and 13.2, and therefore there is no lack of unity of invention.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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